



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 067286/0278

In re patent application of

James C. KENNEDY et al.

Examiner: S. Sharareh

Serial No. 10/605,826

Group Art Unit: 1617

Filed: 10/29/2003

**For: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINOLEVULINIC ACID AND
OTHER PRECURSORS OF ENDOGENOUS PORPHYRINS**

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition the Patent and Trademark Office under 37 C.F.R. §1.102(c) to make special the instant application. It is believed that no fee is due for the instant petition, however, should a fee be required, the PTO is authorized to charge the deposit account No. 19-0741. This petition is submitted on the grounds that one of the present applicants is 65 years of age or more as set forth in 37 C.F.R. § 1.102(c). The basis for the petition is to obtain special status for this application so that it receives expedited prosecution.

MPEP § 708.02 IV provides that "[a]n application may be made special upon filing a petition including any evidence showing that the applicant is 65 years of age, or more, such as a birth certificate or applicant's statement. No fee is required for such a petition."

In the present case, Dr. James C. Kennedy is greater than 65 years of age. A copy of his notarized birth certificate along with a notarial certificate is attached hereto, thereby

05/11/2004 Y providing evidence that Dr. Kennedy is greater than 65 years old and meets the requirements
01 FC:1460 for awarding "special" status to the present application.

*Fees
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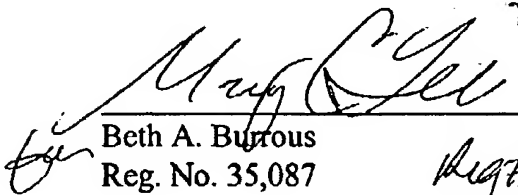
Applicants believe they have satisfied all of the requirements for this patent application to be granted special status. Granting this petition is earnestly solicited.

Respectfully submitted,

April 28, 2004

Date

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